

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

VICTORIA MORRIS,

:

Case No. 3:09-cv-203

Plaintiff,

District Judge Thomas M. Rose

-vs-

Magistrate Judge Michael R. Merz

MICHAEL J. ASTRUE,
COMMISSIONER OF
SOCIAL SECURITY,

Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #14), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that, pursuant to the fourth sentence of 42 U.S.C. Section 405(g), the Commissioner's decision that Plaintiff is not disabled is **REVERSED** and the matter is **REMANDED** to the Commissioner for additional administrative proceedings.

April 20, 2010.

****s/THOMAS M. ROSE***

Thomas M. Rose
United States District Judge